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PATENTAMENDMENT B (IN RESPONSE TO PAPER NO. 110504
(OFFICE ACTION DATED NOVEMBER 12, 2004))REMARKS

Claims 1-20 are pending in this case. In the amendment hereinabove, claims 7 and 15 have been cancelled and claims 1-4, 6, 9-12, 14, 17 and 19 have been amended. Accordingly, claims 1-6, 8-14 and 16-20 are now pending in this case. Based upon the following remarks, it is respectfully submitted that these claims are allowable.

Telephone Interview Summary Record

Appreciation is expressed for the telephone interview kindly accorded Mark A. Dalla Valle, attorney for Assignee, on February 18, 2005. During the interview, Examiners Joseph R. Maniwang and William A. Cuchlinski Jr. discussed the communication paths among the interface client, wireless link and remote source as claimed. Specifically, Examiners Maniwang and Cuchlinski proposed amending the claims to better define the separate communication paths.

Amendments to Claims

Claims 1-4, 9-12, 17 and 19 have been amended such that the term "wireless link" has been replaced with the term "wireless device." As used in the written disclosure, the term "wireless link" is a device, such as but not limited to a mobile phone, preferably carried by a user to create "a connection to the interface client near the user and" further to create "a connection from the wireless link to the application or infrastructure server." (Page 35, line 25 – page 6, line 4). It is respectfully noted that in other embodiments, the wireless device may correspond to other devices with wireless capabilities such as PDAs and other hand-held devices. The application teaches that the wireless link serves as a gateway with added functionality. *Id.* Recognizing the need to advance prosecution, the claims are amended to more clearly illustrate that this claim element is not a generic

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conduit but a physical element.

Claims 1-2, 9-10 and 17 have been amended to also advance prosecution and more clearly recite the claimed subject matter. The term "proximity" replaces the term "vicinity" to reflect the relationship between the interface client and wireless device as described in the written description. With reference to exemplary FIG. 1, page 7, lines 14-25 discusses a wireless device's proximal range within which interface clients 110a, 110b, 110c and 110d are considered within the proximity of the wireless device while interface clients 110e, 110f and 110g are considered outside the proximity of the wireless link. The proximal range can be considered the range inside of which the interface clients are considered proximate to or in the vicinity of the wireless device. It is recognized that when an interface client is in proximity of the wireless device, it is often in proximity of the user of the wireless device.

Claims 1, 9 and 17 have been amended to more clearly define the inherent wireless communication paths along which information and data travels between the interface client, the wireless device and the remote source as present in the claimed subject matter. As indicated, a first wireless communication path exists between the interface client and the wireless device. Similarly, a second wireless communication path exists between the wireless device and the remote source. In one embodiment, the wireless communication paths allow direct communication between the wireless device and the interface client and between the wireless device and the remote source. However, in other embodiments, the wireless communication paths may allow indirect communications between the aforementioned elements. For instance, the second wireless communication path may be between the wireless device and a radio tower or other wireless node that is operatively connected to the remote source.

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Claims 6 and 14 have been amended to be consistent with the amendments made to independent claims 1 and 9 in Amendment A, filed July 23, 2004.

§102 Rejection of Claims

Claims 1, 5-8, 9, 13-16 and 17-20 were rejected under 35 U.S.C. §102(e) as being anticipated by Britton et al., U.S. Patent No. 6,654,814 ("Britton"). This rejection is respectfully traversed and it is submitted that these claims recite subject matter which is not anticipated by and is patentable over Britton.

To more clearly distinguish Britton over the claimed subject matter, it is respectfully submitted that Britton does not appear to teach or suggest a number of limitations expressly present within amended independent claims 1, 9 and 17. In particular, Britton does not teach or suggest the limitations directed toward the proximate relationship between an interface client and a wireless device. Additionally, Britton does not disclose the structure of the claimed subject matter which requires, among other things, three separate devices (an interface client, a wireless device and a remote source) and a first and a second wireless communication path. Lastly, the system disclosed in Britton appears to be incapable of functioning in the claimed manner of the present application. For these reasons, independent claims 1, 9 and 17 are allowable over Britton.

The relevant remarks made in Amendment A, filed July 23, 2004, are respectively incorporated within this amendment by reference. Generally, these remarks are directed toward distinguishing the Britton reference as "point-to-point" while stressing the flexibility of the claimed invention to, among other things, enjoy both the small size and portability of a wireless device and the higher resolution and larger size and feature set of the interface client display.

Elaborating on the aforementioned distinct variations between Britton and

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the presently claimed subject matter, the Office has not expressly cited to the portion of Britton where it is disclosed that when a wireless device is in proximity of the interface client, information about the interface client along a first wireless communication path is submitted to the wireless link. As stated *infra*, the use of the term "proximity" in place of "vicinity" is not a new limitation but merely more consistent with the written description.

Additionally and in further contrast to the Office's position, Britton does not appear to teach or suggest the utilization of an interface client in a three point interface roaming network as is presently claimed. This network comprises, among other things, an interface client, a wireless device and a remote source such that the interface client and wireless device may communicate along a first wireless communication path while the wireless device and remote source may communicate along a second wireless communication path. In addition, the interface client must be capable of displaying content as recited in claim 1.

The only plausible reading of the Britton reference requires a pervasive computing device, also described as a client data processing system, (i.e., the end user) to request content from a server. Fig. 1 of Britton illustrates that several pervasive computing devices such as a PDA (element 24), a portable computer (element 22), and a cellular telephone (element 28 or 28') may have paths allowing communication with a server (element 20). For instance, if a cellular device is used as the pervasive device, the cellular phone may communicate with the server through, among other things, a cellular connection with the radio tower and the Internet or intranet(s). (Col. 9, ll. 8-13). Upon receipt of the request from a single pervasive device, the server will tailor the requested content so that it can be properly viewed on the display of the associated pervasive device. This tailored content is then delivered to the requesting pervasive device. (Col. 2, ll. 6-11; col. 9, ll. 48-65).

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To the extent that Britton can be compared to the claimed subject matter of claims 1, 9 and 17, Britton discloses a cellular phone and a server which delivers requested content. While the cellular phone may be a wireless unit able to display content, it is not analogous to the presently claimed interface client or wireless device. While Britton teaches that the cellular phone receives tailored content from the server, unlike the presently claimed interface client, Britton's cellular phone does not appear to communicate with a wireless device along a first wireless communication path. In fact, Britton does not even appear to disclose a wireless device separate from the cellular phone. For similar reasons, the cellular phone is not analogous to the presently claimed wireless device, for if it were, Britton is silent as to an interface client that displays content conveyed via the wireless device/cellular phone. Lastly, Britton fails to teach or suggest communication between a wireless device and a remote source along a second wireless communication path. While Britton discloses a wireless path between a radio tower and a cellular phone, this is not analogous to either wireless communication path as is presently claimed.

Because Britton does not disclose the necessary structure recited in independent claims, it is impossible for Britton to teach or suggest the claimed function associated with these claims. If the Office is of a differing opinion, it is respectfully requested that citations to specific column and line numbers within Britton be provided where each limitation recited in the independent claim is disclosed or suggested.

For the aforementioned reasons, allowance for independent claims 1, 9 and 17 is earnestly solicited.

It is submitted that claims 5, 8, 13-14, 16 and 18-20 depend upon allowable base claims 1, 9 and 17, and that these claims contain, among other things, novel

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and non-obvious limitations. Therefore, it is respectfully submitted that claims 5, 8, 13-14, 16 and 18-20 are in proper form for allowance for at least the same reasons illustrated above.

§103 Rejection of Claims

Claims 2-4 and 10-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Britton in view of Trompower et al., U.S. Patent No. 6,138,019 ("Trompower"). This rejection is respectfully traversed and it is submitted that these claims recite subject matter which is patentable over Britton.

In accordance with and with reference to the discussion immediately hereinabove, it is submitted that claims independent claims 1 and 9, in conformance with the foregoing amendment, recite subject matter which is patentable over Britton. It is further submitted that such claims recite subject matter which is patentable over Britton and Trompower, regardless of whether such references are considered individually or in combination(s). Therefore, it is still further submitted that their respective dependent claims 2-4 and 10-12, in conformance with the foregoing amendment, recite subject matter which is patentable over such references as well, particularly in view of these latter claims' further recited limitations.

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PATENTAMENDMENT B (IN RESPONSE TO PAPER NO. 110504
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Claims 1-6, 8-14 and 16-20 remain pending in this case. Based upon the foregoing remarks, it is respectfully submitted that these claims are allowable, and reconsideration and early allowance of these claims are requested.

Respectfully submitted,

VEDDER, PRICE, KAUFMAN & KAMMHOLZ, P.C.

Date: March 4, 2005By: 
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